

2133  
24/11/99

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THE 29TH DAY OF MAY 1998

BEFORE

THE HON'BLE MR. JUSTICE K.H.N. KURANGA

CIVIL REVISION PETITION NO. 2358/1997

---

Shankar @ Maruti Kallappa Bennihalli,  
Age: 55 years, Occ: Service & Agriculture,  
r/o Nagarmannoli, Tq: Chikodi, Dist: Belgaum.

...PETITIONER

(By Sri.R.S.Siddapurkar, Adv. for petr.)

- vs -

Maruti Santappa Guggari,  
Age: 51 years, Occ: Agril., r/o  
Nagarmannoli, Tq: Chikodi, Dist: Belgaum.

...RESPONDENT

(By Sri.Basavaprabhu S. Patil, Adv. for Respondent)

\* \* \* \* \*

Civil Revision Petition is filed U/s 115  
of CPC against the order dtd.29.5.1997 passed in  
MA No.22/1996 on the file of the Civil Judge, (Sr.Dn.)  
Chikodi, dismissing the appeal & confirming the order

..2..

- 2 -

passed in O.S.No.21/95 dt.8.8.96 by the Pri.Civil Judge, Chikodi.

This Civil Revision Petition coming on for ADMISSION this day, the court made the following:-

O R D E R

The petitioner is the defendant <sup>in</sup> the suit O.S.No.21/95. The trial Court granted injunction in favour of the plaintiff-respondent. The said order was challenged by the petitioner in M.A.No.22/1996. The learned Civil Judge, Jr.Dn., Chikodi has dismissed the said application. This Court has not granted stay as prayed for by the petitioner. The learned Counsel for the petitioner submitted that recording of the evidence in the suit has already commenced. There are no reasons to interfere with the concurrent finding recorded by the Courts below. Hence, the petition is liable to be dismissed. Hence it is dismissed.

However, the trial Court is directed to dispose of the suit as expeditiously as possible preferably within 3 months from the date of receipt of a copy of this order.

Copy

Assistant Registrar

High Court of Karnataka

Bangalore-560 001

Sd/-